

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ROTHSCHILD MOBILE IMAGING  
INNOVATIONS, LLC,

Plaintiff,

v.

MITEK SYSTEMS, INC.,  
JPMORGAN CHASE & CO. and  
JPMORGAN CHASE BANK, N.A.,

Defendants.

C.A. No. 14-617-GMS

JURY TRIAL DEMANDED

ROTHSCHILD MOBILE IMAGING  
INNOVATIONS, LLC,

Plaintiff,

v.

BANK OF AMERICA CORPORATION,  
BANK OF AMERICA, N.A.,  
NCR CORPORATION and  
MITEK SYSTEMS, INC.,

Defendants.

C.A. No. 14-1142-GMS

JURY TRIAL DEMANDED

ROTHSCHILD MOBILE IMAGING  
INNOVATIONS, LLC,

Plaintiff,

v.

CITIGROUP INC., CITIBANK, N.A.,  
NCR CORPORATION and  
MITEK SYSTEMS, INC.,

Defendants.

C.A. No. 14-1143-GMS

JURY TRIAL DEMANDED

ROTHSCHILD MOBILE IMAGING	)	
INNOVATIONS, LLC,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 14-1144-GMS
v.	)	
	)	JURY TRIAL DEMANDED
WELLS FARGO & COMPANY,	)	
WELLS FARGO BANK, N.A., FISERV, INC.	)	
and MITEK SYSTEMS, INC.,	)	
	)	
Defendants.	)	

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**DEFENDANT MITEK SYSTEMS, INC.’S MOTION**  
**FOR ATTORNEYS’ FEES AND EXPENSES**

Defendant Mitek Systems, Inc. (“Mitek”) respectfully moves this Court to grant Mitek’s Motion for Attorneys’ Fees and Expenses. Mitek respectfully requests entry of an Order finding that this case is exceptional under 35 U.S.C. § 285 and that Mitek is the prevailing party and is entitled to its reasonable attorney fees and expenses to the extent permitted by law. Alternatively, or in addition, Mitek respectfully requests an award of fees from RMII’s counsel, Shore Chan DePumpo LLP, under 28 U.S.C. § 1927. An award of fees is also warranted under the Court’s inherent power. Finally, Mitek requests that the Court direct Mitek to submit evidence of its reasonable fees and expenses by a date certain. This Motion is accompanied by Mitek’s Brief in Support of Motion for Attorneys’ Fees and Expenses, which is incorporated herein by reference, as well as a Proposed Order.

In accordance with Local Rule 7.1.1, on September 28 and 29, 2017, the parties met and conferred but were unable to reach an agreement. Counsel who participated in these discussions include Mary Matterer, Phillip Citroen and Naveen Modi on behalf of Mitek and Richard Weinblatt and Andrew Howard on behalf of Rothschild Mobile Imaging Innovations, LLC.

Dated: September 29, 2017

/s/ Mary B. Matterer

Mary B. Matterer (I.D. #2696)  
Richard K. Herrmann (I.D. #405)  
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**ATTORNEYS FOR DEFENDANT  
MITEK SYSTEMS, INC.**

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United States District Court Judge